

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 24-cr-34 (PJS/TNL)

Plaintiff,

v.

**AMENDED
ARRAIGNMENT NOTICE AND
SCHEDULING ORDER**

Kamau Evans,

Defendant.

This matter comes before the Court on Defendant Kamau Evans' Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 12. Defendant has also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act, ECF No. 14.¹

Defendant has "cases pending in both state and federal court." ECF No. 14 at 1. Defendant seeks a 60-day continuance of the March 12, 2024 motions-filing date and the April 4, 2024 motions hearing² as the parties are currently working to see whether a global resolution is possible. The Government has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

¹ The statement of facts was filed on March 27, 2024. *See generally* ECF No. 14; *see also* ECF No. 12 at 1 (noting statement of facts "is forthcoming").

² The Court previously continued this hearing to a date and time to be determined pending receipt of the statement of facts. *See generally* ECF No. 13.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Filing Date and Motion Hearing, ECF No. 12, is **GRANTED**.

2. The period of time from **the date of this Order through May 13, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. An arraignment hearing will be held before Magistrate Judge Tony N. Leung on **June 4, 2024, at 1:30 p.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

4. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **May 13, 2024**. *See* D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

5. **Counsel must electronically file a letter on or before May 13, 2024, if no motions will be filed and there is no need for hearing.**

6. All responses to motions must be filed by **May 28, 2024**. *See* D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses must be filed by **May 28, 2024**. *See* D. Minn. LR. 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses must be filed by **May 31, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

10. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **June 4, 2024, at 1:30 p.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

11. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief Judge Patrick J. Schiltz to confirm the new trial date.**

Dated: March 28, 2024

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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